IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
JUN 3 0 2010
JOHN FOORCORAN) CLERK BY: SEPUTY CLERK

PHILLIP E. BOOSE,)
Petitioner,) Case No. 7:10CV00286
v.)) <u>FINAL ORDER</u>
TERRY O'BRIEN, WARDEN,) By: Glen E. Conrad) United States District Judge
Respondent.)

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2241, is **DISMISSED**; and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is **DENIED**.

ENTER: This <u>30th</u> day of June, 2010.

United States District Judge

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